IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO.2121 OF 1999

M/s.B. Braun Medical (India) Ltd. .. Petitioner.

V/s.

Union of India & Another .. Respondents.

Mr.Vikram Nankani i/b. M.S. Gawde for the petitioner.

Mr.R.V. Desai, senior advocate with Mr.H.V. Mehta for the respondents.

CORAM : DR.S. RADHAKRISHNAN & J.P. DEVADHAR, JJ.

DATED : 27TH FEBRUARY, 2006.

P.C. :

1. Heard the learned counsel for the petitioner and the learned counsel for the respondents.

2. By this petition, the petitioner is challenging the order dated 16th July, 1999 passed by the Deputy Commissioner of Customs being order-in-original. Both the learned counsel have agreed that the aforesaid order-in-original was challenged before the Commissioner of Customs (Appeals) and the Commissioner of Customs (Appeals) by his order dated 27th November, 2000 has already remanded the matter back for a denovo hearing.

3. In view thereof, the writ petition has

become infructuous.

4. It appears that by way of an interim order, the petitioner was allowed to clear the goods by furnishing bond. Since the matter has been remanded back for being heard denovo, the bond shall continue till the disposal of fresh adjudication.

5. The writ petition stands disposed of accordingly with no order as to costs.

(DR.S. RADHAKRISHNAN, J.)

(J.P. DEVADHAR, J.)